

PATENT

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#10/terminal
disclaimer
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(NE)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Applicants: William X. Tracey, *et al.*

Examiner: Thomas A. Dixon

Serial No: 09/692,402

Art Unit: 3629

Filing Date: October 19, 2000

Title: METHOD AND SYSTEM FOR PRESENTING ITEM INFORMATION USING A
PORTABLE DATA TERMINAL

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 Commissioner for Patents
 U.S. Patent and Trademark Office
 Alexandria, Virginia 22313-1450

 TERMINAL DISCLAIMER TO OVERCOME A DOUBLE
 PATENTING REJECTION (37 CFR §1.321(c))

Dear Sir:

I, Himanshu S. Amin, represent that I am an attorney of record for application Serial No. 09/692,402 filed October 19, 2000, entitled METHOD AND SYSTEM FOR PRESENTING ITEM INFORMATION USING A PORTABLE DATA TERMINAL. The terminal part of any patent granted on the above-identified patent application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 of United States Patent No. 5,979,757, as presently shortened by any terminal disclaimer, is hereby disclaimed, except as provided below, and it is hereby agreed that any patent so granted on the above-identified patent application shall be enforceable only for a period of time during such period that the

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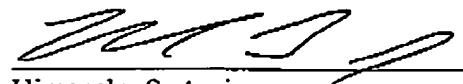
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Legal title to said patent shall be the same as the legal title to United States Patent No. 5,979,757, this agreement to run with any patent granted on the above-identified patent application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, disclaimant does not disclaim any terminal part of any patent granted on the above-identified patent application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of United States Patent No. 5,979,757, as presently shortened by any terminal disclaimer in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by a terminal disclaimer, except for the separation of legal title stated above.

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Respectfully submitted,
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